REMARKS

Applicants filed an RCE in view of the Final Office Action mailed April 1, 2005 and references cited therein and the Advisory Action mailed on May 20, 2005.

Applicants have amended claims 88-93, 114, 124, 125, 133-135, 144 and 145. The pending claims were objected to by the Examiner for use of inconsistent terminology. Applicants have amended claims 88-93, 114, 124, 125, 133-135, 144 and 145 to change the term "support assembly" to "support mount assembly". Applicants submit that this claim objection is overcome by the amendment to the claims.

I. THE SECTION 102 REJECTIONS

The Examiner rejected claims 88-95, 100-104,106, 114, 115, 117-119, 124, 133, 137 and 140 under 35 U.S.C. 102(e) as being anticipated by Malinowski. The Examiner also rejected claims 88-95, 100-105, 107, 108, 112, 114, 115, 117-119, 124, 133, 137 and 140 under 35 U.S.C. 102(e) as being anticipated by Behrens. A review of the Examiner's rejection suggests that the Examiner is confused regarding the structure and function of the components of the snowplow blade mount defined in the claims. Applicants believe that a discussion of the components of the claims and reference to the drawings and specification will be helpful in resolving such confusion.

A. Overview of the Invention and Claims

Independent claims 88 and 114 defined five principal components of the snowplow blade mount, namely 1) the frame mount assembly, 2) the support mount assembly, 3) the lift mount assembly, 4) the plow mount assembly, and 5) a snowplow blade. Each of these components have a different function and placement relationship relative to one another as defined in the claims.

1. <u>The Frame Mount Assembly</u>

The frame mount assembly is designed to be substantially non-detachably mountable to a

frame at a front end of a vehicle. The frame mount assembly is also designed to be mounted in a certain position on the vehicle. For instance, the frame mount assembly is designed so as not to be connected to the front bumper of the vehicle. The frame mount assembly is also designed to be mounted on the vehicle in a position substantially below a bottom level of the front bumper. The frame mount assembly is further designed to be mounted on the vehicle in a position that is behind the front surface of the vehicle. The frame mount assembly corresponds to the housing mount 200 best illustrated in Figures 1 and 8 and described in paragraphs 0010, 0011, 0089 and 0094 of Pub. No. 2004/0088892, which corresponds to the present application. Another embodiment is best illustrated in Figure 16 as housing mount 500.

The frame mount assembly includes a connection arrangement that is designed to detachably connect to the support mount assembly. The support mount assembly corresponds to support assembly 250 best illustrated in Figures 1-4 and 9. A non-limiting example of one type of connection arrangement is shown in Figure 8 and identified by structures 220, 222, 230 and/or 232. The connection is positioned at least partially below the bottom level of the front bumper of the vehicle when the frame mount assembly is mounted to the frame of the vehicle. The connection arrangement is designed to fully secure the support mount assembly to the frame mount assembly as illustrated in Figures 1, 2, 11 and 12.

The connection arrangement includes a plurality of connectors such as, but not limited to the structures 220, 222, 230 and/or 232. At least two of the connection arrangements are used to connect the support mount assembly to the frame mount assembly. The connection arrangement includes at least one engagement arrangement that is designed to receive at least a part of the front portion of the support mount assembly. One non-limiting example of such engagement arrangement is shown in Figure 8 as structures 220, 222 and/or 230. The connection arrangement includes at least

one engagement arrangement that receives at least a portion of a front portion of the support mount assembly and at least partially limits movement of the support mount assembly relative to the frame mount assembly when the support mount assembly is secured by the connection arrangement. One non-limiting example of such engagement arrangement is shown in Figure 8 as structures 220, 222 and/or 230. The connection arrangement also includes at least one connector spaced forwardly from the engagement arrangement. One non-limiting example of such engagement arrangement is shown in Figure 8 as structure 232.

2. The Support Mount Assembly

The support mount assembly is designed to be detachably connectable to the frame mount assembly and the plow mount assembly. The support mount assembly is also designed to at least partially support the lift mount assembly. As stated above, the support mount assembly corresponds to support assembly 250 best illustrated in Figures 1-4 and 9 and described in paragraph 0091 of Pub. No. 2004/0088892. Another embodiment is best illustrated in Figure 19 as support assembly 600.

3. The Lift Mount Assembly

The lift mount assembly is designed to at least partially lift at least a portion of the plow mount assembly. As stated above, the lift mount assembly is at least partially supported on the support mount assembly. The lift mount assembly corresponds to lift mount assembly 310 best illustrated in Figures 1-4 and 9 and described in paragraphs 0092 and 0093 of Pub. No. 2004/0088892. Another embodiment is best illustrated in Figure 19 as lift mount assembly 900.

4. The Plow Mount Assembly

The plow mount assembly is designed to be detachably connected to the support mount assembly at one end and a snowplow blade at the other end. The plow mount assembly is also

designed to be pivotally connectable to the support mount assembly. One embodiment of the plow mount assembly is the blade mount assembly 40 best illustrated in Figures 1-4 and 10 and described in paragraphs 0077 and 0078 of Pub. No. 2004/0088892. Another embodiment is best illustrated in Figure 20 as blade mount assembly 700.

When the plow mount assembly is connected to the support mount assembly, the plow mount assembly is spaced from the frame mount assembly. This relationship is best illustrated in Figures 1 and 11. As can be seen in Figure 1, the journals 52 on the blade mount assembly are connected via holes 54 at pin housing 282 on support assembly 250. Pin housings 280 and 284 are used to connect support assembly 250 to housing mount 200. As such, the blade mount assembly is **spaced from** and **does not connect to** the housing mount. A similar arrangement is illustrated in the embodiment shown in Figure 11.

The plow mount assembly is detachably connectable to the support mount assembly to enable the plow mount assembly to be disengaged from the vehicle without having to partially or fully disconnect the support mount assembly from the frame mount assembly. As illustrated in Figures 2 and 12, the blade mount assembly can be disconnected from the support assembly without having to disconnect any portion of the support assembly from the housing mount.

5. The Snowplow Blade

The snowplow blade is connected to one end of the plow mount assembly. One embodiment of the snowplow blade is the plow blade 41 best illustrated in Figure 1 and described in paragraph 0077 of Pub. No. 2004/0088892. Another embodiment is best illustrated in Figure 11 as plow blade 710.

B. The Anticipation Rejection

1. Malinowski

The Examiner referred to Figures 7-12 of Malinowski in support of the rejection of the claims under 35 U.S.C. §102. The Examiner labeled several structures on Figure 7 to correspond to the limitations to the pending claims. Based on the explanation above regarding the components of the pending claims, it is evident that some of the structures labeled by the Examiner do not and cannot be or function as some of the comments in the pending claims.

For instance, the Examiner identified component 42 as a part of the frame mount assembly. This is impossible. The claims require that the frame mount assembly be mounted to a frame of the vehicle. As the Examiner is aware, the term "frame" is a term of art in the vehicle industry. Component 44 is a push frame section. It does not and cannot mount to the frame of a vehicle. The only structures that could correspond to the frame mount assembly are components 54, 58, 60 and 64. As is evident from the Figures, the side plates do not mount to the frame of the vehicle. The side plates are also not positioned substantially below the bumper of the vehicle. It also appears that the side plates are partially mounted to the bumper. The frame mount is also non-detachably connected to the vehicle. Component 44 is shown to be disconnectable from the vehicle. It is unclear to Applicants' the basis for the Examiner's assertion that component 42 could be considered in any way or be part of the frame mount assembly.

The Examiner also identified component 44 as being the lift mount assembly. Applicants believe that the top part of component 55 and component 46 more closely correspond to the lift mount assembly. However, for purposes of analyzing the Examiner's rejection, component 44 will be treated as the lift mount assembly of Malinowski.

The examiner identified component 54 as the support mount assembly. This is impossible.

The support mount assembly is designed to be detachably connected to the frame mount assembly. As indicated above, the frame mount assembly, not the support mount assembly is directly secured to the vehicle. The side plates 54 are shown to be bolted, welded or otherwise secured to the side fender of the vehicle. As such, these side plate are not designed to be releasably secured to the frame mount. It is improper to identify component 44 as the frame mount assembly for the reasons set forth above. The Examiner commented that a portion of the side plate extends below the bumper of the vehicle. If the side plates are considered part of the frame mount assembly as asserted by Applicants, the side plates violate the limitation of the claims that the frame mount assembly be positioned substantially below the bottom level of the bumper. As is illustrated in Figure 7, 50% or more of the side plate is above the bottom level of the bumper.

The Examiner did not specifically identify the component in Figure 7 of Malinowski that corresponds to the plow mount assembly. The plow mount is required to not be connected to the frame mount and is also required to be pivotally and detachably connectable to the support mount assembly. It is unclear what component of Malinowski can satisfy these two limitations based on the component identification set forth by the Examiner. Indeed, Applicants submit that none of the components of Malinowski can satisfy the limitations associated with the plow mount assembly and also satisfy the limitations associated with the frame mount assembly and the support mount assembly.

Applicants maintain that for any one of the reasons set forth above, the pending independent claims are not anticipated by Malinowski.

2. Behrens et al.

The Examiner asserted that component 32 was the frame mount assembly. In view of the limitations of the frame mount assembly as described above and set forth in the claims, component

32 cannot be any part of the frame mount assembly as defined in the claims. As set forth above, the frame mount must be mounted to a frame of the vehicle. Component 32 does not and cannot mount to the frame of a vehicle. Applicants submit that component 32 more closely corresponds to the plow mount assembly as defined in the claims. Applicants further submit that mount frame 26 is the only component described and disclosed in Behrens that could even come close to satisfying the limitations of the frame mount assembly as defined in the claims. Applicants are unclear as to the basis for the Examiner's assertion that component 32 can be the frame mount assembly as defined in the claims.

The Examiner asserted that component 40 was the lift mount assembly of Behrens. Applicants do not disagree. The Examiner also asserted that component 26 was the support assembly. As set forth above, mount frame 26 corresponds more closely to the frame mount assembly as defined in the claims. The claims require that the support mount assembly be detachably connectable to the frame mount assembly which is in turn connected to the vehicle. The manner in which the Examiner has identified the components in Behrens, component 26 is detachably connectable to component 32, but component 32 is not substantially non-detachably mountable to the frame of the vehicle. Indeed, component 32 is in no way directly connected to the vehicle. Only component 26 is directly connected to the frame 24 of the vehicle.

The Examiner again did not specifically identify the component in Behrens that corresponds to the plow mount assembly. As stated above, the plow mount is required to not be connected to the frame mount and is also required to be pivotally and detachably connectable to the support mount assembly. It is unclear what component of Behrens can satisfy these two limitations based on the component identification set forth by the Examiner. Indeed, Applicants submit that none of the components of Behrens can satisfy the limitations associated with the plow mount assembly and also

satisfy the limitations associated with the frame mount assembly and the support mount assembly.

Applicants maintain that for any one of the reasons set forth above, the pending independent claims are not anticipated by Behrens.

In view of the fact that independent claims 88 and 114 are not anticipated by Malinowski or Behrens for at least the reasons set forth above, none of the claims dependent from the independent claims can be anticipated by Malinowski or Behrens.

C. The Obviousness Rejection

The Examiner rejected claims 109 and 139 under 35 U.S.C. §103(a) as being unpatentable over Malinowski in view of Pieper. As set forth above, Malinowski discloses and teaches a fundamentally different structure for a plow mount assembly from the one defined in the pending claims. Applicants submit that the combination of Pieper with Malinowski does not make obvious any of the pending claims.

Pieper discloses a plow mount assembly that includes an A-frame 42 (plow mount assembly), a lift frame 44 (support mount assembly) and mount frame 28 (frame mount). The A-frame 42 is pivotally connected to the lift frame by pin 86. Pin 86 is also used to connect the lift frame and the A-frame to the mount frame. As discussed above, this connection arrangement is directly contrary to the structure of the blade mount assembly defined in the claims. In addition, the A-frame cannot be disconnected from the lift frame prior to the lift frame being fully or partially disconnected from the mount frame. This is also directly contrary to the structure of the blade mount assembly defined in the claims.

For at least these reasons, Pieper in combination with Malinowski does not make obvious any of the claims pending in the present invention.

Pieper also includes disclosures and teachings with respect to the mount frame that are also

contract to the structure of the frame mount defined in the present invention. Plate 36 of the frame mount is partially secured to the side of bumper 24 as shown in Figure 1. This is contrary to the required structure of the frame mount defined in the claims. For at least this additional reason, Pieper in combination with Malinowski does not make obvious any of the claims pending in the present invention.

Claims 121, 122, 125, 127, 128, 134 and 135 were rejected under 35 U.S.C. §103(a) as being unpatentable over Malinowski. As set forth above, Malinowski discloses a structurally different snowplow blade mount assembly from the one defined in the pending claims. As such, the invention defined in claim 114 and all the claims dependent therefrom are not obvious in view of Malinowski.

The Examiner stated that official notice was taken regarding the use of removable pins and pin clips. Applicants admit that pins and pin clips are not new; however, Applicants submit that the pins and/or pin clips defined in claims 121, 122, 125, 127 and128 in combination with the structural limitations in the claims that such claims depend therefrom, result in the patentability of such claims.

Claims 134 and 135 include the limitation that the connection arrangement includes at least two engagement arrangements, and that each engagement arrangement is designed to at least partially telescopically receive at least a portion of the support mount assembly. Malinowski discloses that a pin 52 is received in socket 60; however, the pending claims exclude connection pins that connect the support mount assembly to the frame mount assembly as being part of the support mount assembly. Such connectors are defined as being part of the frame mount assembly.

Applicants submit that the teaching and disclosure of Malinowski do not make obvious any of the pending claims.

Claims 121, 122, 125, 127, 128, 134, 135, 141 and 144 were rejected under 35 U.S.C. §103(a) as being unpatentable over Behrens. As set forth above, Behrens discloses a structurally

different snowplow blade mount assembly from the one defined in the pending claims. As such, the invention defined in claim 114 and all the claims dependent therefrom are not obvious in view of Behrens.

The Examiner stated that official notice was taken regarding the use of removable pins and pin clips. Applicants admit that pins and pin clips are not new; however, Applicants submit that the pins and/or pin clips defined in claims 121, 122 and 125, 127 and128 in combination with the structural limitations in the claims that such claims depend therefrom, result in the patentability of such claims.

Claims 134 and 135 include the limitation that the connection arrangement includes at least two engagement arrangements, and that each engagement arrangement is designed to at least partially telescopically receive at least a portion of the support mount assembly. Behrens discloses that a pivot 42 is secured to pivot 43; however, the pending claims exclude pivots or connection pins that connect the support mount assembly to the frame mount assembly as being part of the support mount assembly. Such connectors are defined as being part of the frame mount assembly.

Claim 144 requires that the plow mount assembly be spaced forwardly from said frame assembly when the support mount assembly is pivotally connected to the frame mount assembly. As illustrated in Figure 1 of Behrens, the plow mount assembly (32) is designed to be directly connected to the frame mount assembly (26).

Applicants submit that the teaching and disclosure of Behrens do not make obvious any of the pending claims.

Claims 109, 139, 142, 143 and 145 were rejected under 35 U.S.C. §103(a) as being unpatentable over Behrens in view of Pieper. Pieper was cited for the disclosure that the support mount assembly includes an auxiliary light. As set forth above, the structure of Behrens and Pieper

are fundamentally different from the structure defined in the pending claims. As such, the combination of these references cannot support a rejection of any of the pending claims.

Claim 145 includes the limitation that the plow mount assembly is spaced forwardly from the frame assembly when the support mount assembly is pivotally connected to the frame mount assembly. As discussed above, neither Behrens nor Pieper disclose or teach this structural limitation.

Applicants submit that the teaching and disclosure of Behrens in view of Pieper do not make obvious any of the pending claims.

Claims 110, 111 and 113 were rejected under 35 U.S.C. §103(a) as being unpatentable over Behrens in view of Willis. Willis was cited in combination with Behren as teaching features associated with a snowplow blade. As discussed above, Behrens does not disclose or teach the structural limitations of a snowplow blade mount as defined in the claims. Willis is absent any teaching with respect to a frame mount assembly, a support mount assembly or a plow mount assembly as defined in the pending claims. As such, Willis in combination with Behrens cannot make obvious any of the pending claims.

Claim 110 was rejected under 35 U.S.C. §103(a) as being unpatentable over Malinowski in view of Willis. Willis was cited in combination with Malinowski as teaching features associated with a snowplow blade. As discussed above, Malinowski does not disclose or teach the structural limitations of a snowplow blade mount as defined in the claims. Willis is absent any teaching with respect to a frame mount assembly, a support mount assembly or a plow mount assembly as defined in the pending claims. As such, Willis in combination with Malinowski cannot make obvious any of the pending claims.

Applicants submit the claims presently pending in the above-identified patent application are in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,
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